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EXAMINER

SUTHAR, RISHI S

ART UNIT	PAPER NUMBER
2851	

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,266

Applicant(s)

CHAN, YET

Examiner

Rishi Suthar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 37-51 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16, 21-23 and 37-51 is/are rejected.
7) ☒ Claim(s) 17-20 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Responsive to amendment filed on 3 May 2006.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16, 21-23 and 37-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Leung (U.S. Patent No. 6,233,401).

Regarding claim 1, Leung teaches in Fig. 1 and 2 a main body (12) supporting a taking lens (not shown) and a closable exposure aperture (6), the main body defining a cartridge chamber (8) and a film chamber (10) disposed on opposite sides of the exposure aperture, the film chamber being defined at an upper end by an upper wall of the main body and at a lower end by an endcap assembly (26) shown in Fig. 3, wherein the film chamber is sized to selectively receive one of a roll of film and a secondary cassette housing a roll of film light-tightly therein (col. 6, lines 25-26); the endcap assembly including a shutter support plate (26) with an aperture (27) extending therethrough, the endcap assembly further including a shutter blade (38) movably mounted on the shutter support plate, wherein the shutter blade is movable between a first position, in which the aperture is substantially closed, and a second position, in

which the aperture is substantially unobstructed, whereby a shaft can pass through the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 6); and a back cover (14) in Fig. 7 operatively engaging the main body to enclose the chambers light-tightly therein.

Regarding claim 2, Leung teaches that the endcap assembly further includes a second shutter support plate (28) with an aperture (29) extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5).

Regarding claim 3, Leung teaches that the shutter blade is disposed between the two shutter support plates such that in the first position, both apertures are substantially closed, and in the second position, both apertures are substantially unobstructed.

Regarding claim 4, Leung teaches that the endcap assembly further includes a spring (46) for biasing the shutter blade into the first position.

Regarding claim 5, Leung teaches that at least one portion of one of the shutter plates is formed with the main body (col. 2, lines 46-50).

Regarding claim 6, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film

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chamber for winding of film into the film chamber, wherein at least a portion (apertured member) of one of the shutter support plates of the endcap assembly is formed with the back cover (14).

Regarding claim 7, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5), wherein one of the shutter support plates of the endcap assembly is made of at least two pieces, wherein one piece is formed with the main body (12) and another piece is formed with the back cover (14), whereby when the back cover is in the closed position, the first and second piece engage to form one of the shutter support plates.

Regarding claim 8, Leung teaches the endcap assembly further includes a spring for biasing the shutter blade into the first position.

Regarding claim 9, Leung teaches that shutter support plate of the endcap assembly includes a collar (31) substantially peripherally surrounding the aperture in the shutter support plate and extending therefrom.

Regarding claim 10, Leung teaches at least a portion of the shutter support plate of the endcap is formed with the main body (col. 2, lines 46-50).

Regarding claim 11, Leung teaches at least a portion of the shutter support plate of the endcap assembly is formed with the back cover (14).

Regarding claim 12, Leung teaches in Fig. 2 that the endcap assembly is removably mounted on the main body (by using claws 52, 54).

Regarding claim 13, Leung teaches in Fig. 2 that the main casing provides a cradle at the lower end of the film chamber on which the endcap assembly is mounted (col. 6, lines 10-19). The two plates of the endcap assembly form a groove (51) which sits in a flange (cradle) extending from the lower part of the film receiving chamber.

Regarding claim 14, Leung teaches the cartridge chamber is sized to selectively receive one of a 35 millimeter film cartridge and a primary cassette of a DCS film system, since it is well known that the primary cassette of a DCS film system is a 35 millimeter film cartridge.

Regarding claim 15, Leung teaches in Fig. 7 that the camera includes one of a 35 millimeter film cartridge (9) and a primary cartridge of a DCS film system disposed in the cartridge chamber, the cartridge containing at least one end of a roll of film (11) light-tightly therein.

Regarding claim 16, Leung teaches in Fig. 7 at least a portion of the film extending from the 35 millimeter film cartridge is wound in a roll in the film chamber.

Regarding claim 21, Leung teaches that the upper wall (in chamber 10) and the inner face of the endcap assembly (26) of the film chamber are substantially smooth. Applicant is directed to Fig. 1 where the upper wall of the chamber (10) is shown in the drawing. From this drawing, it can be seen that the upper wall of the chamber is substantially smooth. Applicant is also directed to Fig. 3 and 4 where the inner faces of the endcap assembly is shown. A close up view of the endcap assembly and inner

faces (spring/shutter side) of elements 26 and 28 are shown and it can be seen that these surfaces are substantially smooth. Further, the exterior surfaces are also shown, where it can also be seen that the surfaces are substantially smooth.

Regarding claim 22, Leung teaches that the upper wall and the inner face of the endcap assembly of the film chamber each define a plane, where the planes are spaced at least about 36.7 millimeters apart. Since it is known that 35mm film has a width of 35mm, the spacing in between these two planes must be slightly greater than 35mm for the film to fit. Therefore, the spacing between the planes would fall in the range of at least about 36.7mm.

Regarding claim 23, Leung teaches that the upper wall and the inner face of the endcap assembly of the film chamber each define a plane, where the planes are spaced at least about 35.2 millimeters apart. Since it is known that 35mm film has a width of 35mm, the spacing in between these two planes must be slightly greater than 35mm for the film to fit. Therefore, the spacing between the planes would fall in the range of at least about 36.7mm.

Regarding claim 37, Leung teaches in Fig. 1 and 2 a camera comprising: a main body (12) supporting a taking lens (not shown) and a closeable exposure aperture (6); the main body defining a cartridge chamber (8) and a film chamber (10) disposed on opposite sides of the exposure aperture, the film chamber being defined at an upper end by an upper wall of the main body and at a lower end by an endcap assembly (26), wherein the upper wall defines an upper plane and an inner face of the endcap assembly defines a lower plane, wherein the upper and lower planes are spaced from

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about 36.7 millimeters to about 37.7 millimeters apart (since 35mm cartridges are 35mm wide, the distance between these planes must be slightly greater than 35mm in order to adequately fit the film in between the planes); the endcap assembly including a shutter support plate (26) with an aperture (27) extending therethrough, the endcap assembly further including a shutter blade (38) movably mounted on the shutter support plate, wherein the shutter blade is movable between a first position, in which the aperture is substantially closed, and a second position, in which the aperture is substantially unobstructed, whereby a shaft can pass through the endcap assembly and into the film chamber for winding of film in the film chamber (Fig. 6); and a back cover (14) in Fig. 7 operatively engaging the main body to enclose the chambers light-tightly therein.

Regarding claim 38, Leung teaches that the endcap assembly further includes a second shutter support plate (28) with an aperture (29) extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5).

Regarding claim 39, Leung teaches that the shutter blade is disposed between the two shutter support plates such that in the first position, both apertures are substantially closed, and in the second position, both apertures are substantially unobstructed.

Regarding claim 40, Leung teaches that the endcap assembly further includes a spring (46) for biasing the shutter blade into the first position.

Regarding claim 41, Leung teaches that at least one portion of one of the shutter plates is formed with the main body (col. 2, lines 46-50).

Regarding claim 42, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber, wherein at least a portion (apertured member) of one of the shutter support plates of the endcap assembly is formed with the back cover (14).

Regarding claim 43, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5), wherein one of the shutter support plates of the endcap assembly is made of at least two pieces, wherein one piece is formed with the main body (12) and another piece is formed with the back cover (14), whereby when the back cover is in the closed position, the first and second piece engage to form one of the shutter support plates.

Regarding claim 44, Leung teaches the endcap assembly further includes a spring for biasing the shutter blade into the first position.

Regarding claim 45, Leung teaches that shutter support plate of the endcap assembly includes a collar (31) substantially peripherally surrounding the aperture in the shutter support plate and extending therefrom.

Regarding claim 46, Leung teaches at least a portion of the shutter support plate of the endcap is formed with the main body (col. 2, lines 46-50).

Regarding claim 47, Leung teaches at least a portion of the shutter support plate of the endcap assembly is formed with the back cover (14).

Regarding claim 48, Leung teaches in Fig. 2 that the endcap assembly is removably mounted on the main body (by using claws 52, 54).

Regarding claim 49, Leung teaches in Fig. 2 that the main casing provides a cradle at the lower end of the film chamber on which the endcap assembly is mounted (col. 6, lines 14-19).

Regarding claim 50, Leung teaches in Fig. 1 that the upper wall (in chamber 10) and in Fig. 4 the inner face of the endcap assembly (26) of the film chamber are substantially smooth.

Regarding claim 51, Leung teaches in a camera having a main body supporting a taking lens and a closeable exposure aperture, the main body defining a cartridge chamber and a film chamber disposed on opposite sides of the exposure aperture, the film chamber being defined at an upper end by an upper wall of the main body and at a lower end by an endcap assembly having a movable shutter blade mounted to a shutter support plate having a closeable aperture, and a back cover operatively engaging the main casing to enclose the chambers light-tightly therein, the

improvement comprising: the film chamber (10) being sized between the upper wall and the endcap assembly to selectively receive one of a roll-of film and a secondary cassette housing a roll of film light-tightly therein (col. 6, lines 25-26).

Allowable Subject Matter

3. Claims 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach a secondary cassette including an aperture free lower side housing a roll of film in combination with the camera as claimed.

Response to Arguments

5. Applicant's arguments filed 3 May 2006 have been fully considered but they are not persuasive.

Regarding claims 1 and 51, the limitation "the film chamber is sized to selectively receive one of a roll of film and a secondary cassette" is an intended use limitation. Neither a roll of film nor a secondary cassette housing a roll of film are claimed, so this limitation is not given any patentable weight. Further, the applicant is directed to col. 6, lines 20-29 where Leung discloses the use of a secondary cassette. Applicant argues that Leung teaches in order to accommodate a film receiving cassette, then the access member 24 needs to be removed. While the examiner agrees with the applicant that

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the insertion of an alternative member might require the access member to be removed, the examiner also argues that one of ordinary skill in the art may also read the paragraph to mean that a secondary cassette can be inserted in the film housing including the access member 24. While Leung may appear to teach away from using DCS film systems in the background of the specification, it is clear from the above cited paragraph that a DCS film system can be used in the camera.

Regarding claims 6, 7 and 11, a shutter support plate (bottom edge of rear cover 14) comprises an apertured member (see Fig. 7 and 8) for the insertion of a winding shaft. This apertured member is aligned with the aperture through the access member (24). The rear cover (14) assures that the access member (24) can not be removed when the rear cover is closed, so therefore it is considered to be a support for the access member. Since the bottom edge of the rear cover and the rear cover are unitarily formed, it follows that a support plate is formed with the rear cover.

Regarding claim 13, Leung teaches that the two plates of the endcap assembly form a groove (51), which sits in a flange (cradle) extending from the lower part of the film receiving chamber (col. 6, lines 10-19).

Regarding claim 21, applicant is directed to Fig. 1 where the upper wall of the chamber (10) is shown in the drawing. From this drawing, it can be seen that the upper wall of the chamber is substantially smooth. Applicant is also directed to Fig. 3 and 4 where the inner faces of the endcap assembly is shown. A close up view of the endcap assembly and inner faces (spring/shutter side) of elements 26 and 28 are shown and it

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can be seen that these surfaces are substantially smooth. Further, the exterior surfaces are also shown, where it can also be seen that the surfaces are substantially smooth.

Regarding claims 22, 23 and 37, since it is known that 35mm film has a width of 35mm, the spacing in between these two planes must be greater than 35mm for the film to fit adequately. Examiner interprets about 36.7mm and 35.2mm to include distances slightly greater than 35mm. Therefore, the spacing between the planes would fall in the range of at least about 36.7mm and 35.2mm.

Regarding claims 42, 43, 47, 49 and 50, the previous discussion of the above claims apply.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rishi Suthar whose telephone number is 571-272-8456. The examiner can normally be reached on M-Th 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rishi Suthar
Examiner
Art Unit 2851

RS

William Perkey
Primary Examiner